**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**No. 4:16 CR 176 CDP**
	)	
CHARLES E. JOHNSON,	)	
	)	
Defendant.	)	

GOVERNMENT'S RESPONSE TO OBJECTIONS TO PRE-SENTENCE INVESTIGATION REPORT

COMES NOW the United States of America, by and through the Acting United States Attorney for the Eastern District of Missouri, Carrie Costantin, and Thomas J. Mehan, Assistant United States Attorney for said district, and files this response to the defendant's objection to the presentence report.

JOHNSON objects to the one level enhancement pursuant to §2B3.1(b)(6). The enhancement is appropriate as the defendants took, albeit from JONES, a firearm, which belonged to the victim, Dunbar.

JOHNSON suggests that the firearm was not "taken" from JONES because he states that it was going to be returned to JOHNSON. Absurd and without any proof of same.

He further argues that the Dunbar firearm could not be taken as the possessor was a willing participant, JONES. Following the defense logic, the money could not be taken as JONES was a willing participant to the crime.

Further the Government, objects to the PSR, ¶ 35 in that the JOHNSON has not demonstrated acceptance of responsibility as he lied to the court when he said that the only money he received as his proceeds from his participation in the crime is the amount recovered from a witness.

Respectfully submitted,

CARRIE COSTANTIN
Acting United States Attorney

s/Thomas Mehan
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of this document was filed with the Court's electronic file management system for service upon all parties and counsel of record on April 4, 2017.

/s/ Thomas Mehan
THOMAS MEHAN, #28958MO
Assistant United States Attorney